

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – PJP – GADWAL - Mahabubnagar District – Narva (mandal) Erladinne (Village) – O.P.Nos.18/1988, 19/1988 and 42/1988 - Sanction of decretal charges of **Rs.14,08,337/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 918

DATE:27.11.2009

Read :

- 1) From the Special Collector (LA) Bheema Project, Mahabubnagar District Lr.Rc.No.E/PJP/481/2009, dated:16.10.2009.
- 2) From the CCLA, AP, Hyd Lr.Ref.No.G1/1667/2009, dt:24.10.2009.

O R D E R:

The Secy.to CCLA, AP, Hyderabad has informed that the proposal of the Special Collector, LA, Bheema Project, Mahabubnagar has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.Nos.18/1988, 19/1988 and 42/1988 pertaining to Erladinne (Village) Narva (Mandal) of Mahabubnagar District. The then Land Acquisition Officer acquired lands to an extent of Ac.198.05 gts in the limits of Earladinne (V) vide Award No.31/87, dt:26.08.1987 by fixing the market value @Rs.21,000/- per acre. Aggrieved with the compensation awarded by the LAO, the Awardees have filed petitions U/s.18 seeking reference to the Civil Court. The Senior Civil Judge, Gadwal in its judgment dt:29.04.1994 has enhanced the compensation from Rs.21,000/- to Rs.45,000/- per acre. Aggrieved by the said order, the then LAO has filed appeal before the Hon'ble High Court of A.P, Hyderabad. The Hon'ble High Court of A.P, Hyd has granted interim orders in A.S.No.739/94 with a direction to deposit half of the decretal charges. Accordingly, the Spl.Collector, LA, Bheema Project, Mahabubnagar has deposited half of the decretal charges in Civil Court on 12.01.1995. The Hon'ble H.C of A.P, Hyd has disposed the said appeal on 18.10.1996. Against the said order, the then LAO has filed SLP. The said SLP disposed on 18.08.2009.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.14,08,337/- (Rupees Fourteen lakhs eight thousand three hundred and thirty seven only)** in respect of O.P.Nos.18/1988, 19/1988 and 42/1988 pertaining to Erladinne (Village) Narva (Mandal) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyd immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 - NSP- SH (26) - Dams and Appurtenant works - 530 Major Works - 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance Works&Projects) Department vide their U.O. No.4421/F2(2)/2009-1, dated 21.11.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector (LA) Bheema Project, Mahabubnagar.

The Chief Engineer, I& CAD, MBNR, Jalasoudha Buildings, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.27275//LA-III(A2)/2009

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER